

TOWN OF TYNGSBOROUGH

Office of the Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

APPROVED

Board of Selectmen Meeting Minutes

Monday, May 2, 2011

5:45 P.M.

Town Offices, 25 Bryant Lane

Members Present: Selectwoman Ashley O'Neill, Selectwoman Elizabeth Coughlin, Selectman Rick Reault, Selectman Rich Lemoine, Selectman Robert Jackson

Staff Present: Michael Gilleberto, Town Administrator, Therese Gay, Admin Assistant

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

1. 5:45 PM Work Session

• Police Lieutenant Promotions - Discussion

The Board met to review the process used to appoint three lieutenants. The Board hired Badgequest to administer an oral assessment, the Board interviewed the candidates, and the Board has received the Chief's recommendations. The Board reviewed all of the information and is in agreement with the first option presented and agrees on the three candidates. All the officers are deserving and all did a great job. The Board strongly supports the Chief's recommendation and the order. The Chief met with the Board at 6:30 PM and the Chairman brought the Chief up to date on the deliberations. The Board will need to appoint the three officers effective on different days so as to establish seniority. The Board concluded the work session the Board voted 5-0 on a motion by Selectman Reault, second by Selectman Jackson to recess (6:52PM).

2. 7:00 PM Open Meeting

The Board voted to reconvene and open their meeting at 7:07 PM on a motion by Selectman Jackson, second by Selectman Lemoine.

3. New Business

• Enel Green Power - Pawtucket Dam Presentation

The Enel Green Power North America/Boott Hydropower President Mr. Victor Engel and consultant Robert LaRochelle were invited to the Board of Selectmen's meeting to update the Board on the Pawtucket Dam project. Enel Green Power North America, Inc, headquartered in Andover MA, is a leading owner and operator of renewable energy plants in North America. They own and operate over 70 projects with an installed capacity of around 800 MW powered by renewable hydropower, wind, geothermal and biomass energy. Enel operates the Lowell Hydroelectric Project under the current FERC license. Boott Hydropower, Inc. owns and operates the Lowell Hydroelectric Project (FERC No 2790) a 24.8 MW run-of-river hydropower facility located on the Merrimack River in Lowell, MA. Project works include the Pawtucket Dam, a 1093-foot long stone-masonry gravity structure, constructed in 1847 and 1875, which impounds water for the Project. Boott Hydropower, Inc. proposes to replace the existing wooden flashboards on the dam with an identical height pneumatic crest gate system. No other changes are proposed. The presentation indicated that this system will improve worker safety, provide enhanced water level control capabilities and fish passage conditions, it will also increase renewable energy production at the facility. There is a 30 day public comment and then the final approval Tyngsborough as an intervenor will receive comment forms. The Board thanked Mr. Engel and Mr. LaRochelle for coming in and informing the Board and will forward any questions to them.

- **7:30 PM Police Lieutenant Promotions**

The Chairman outlined the promotional process the Board used to promote the sergeants to lieutenant. The Town is very fortunate to have such experience and dedicated officers. The Board voted as follows the three Lieutenants.

The Board voted 5-0 on a motion by Selectman Reault, I move that the Board of Selectmen appoint Sergeant Richard Howe to the position of Lieutenant effective June 28, 2011, second by Selectwoman Coughlin.

The Board voted 5-0 on a motion by Selectman Reault, I move that the Board of Selectmen appoint Sergeant Christopher Chronopoulos to the position of Lieutenant effective June 29, 2011, second by Selectwoman Coughlin.

The Board voted 5-0 on a motion by Selectman Reault, I move that the Board of Selectmen appoint Sergeant Charles Chronopoulos to the position of Lieutenant effective June 30, 2011, second by Selectwoman Coughlin.

The Board followed and supported the Chief's recommendation. The Board thanked newly appointed Lieutenants for their dedication. The Board voted 5-0 on a motion by Selectman Lemoine, second by Selectman Jackson to extend the list until such time there be a new listing. And that candidate 4 and 5 be given the opportunity to be promote candidate 4 and 5 to lieutenant if the process opens.

- **Town Election Warrant - Sign**

The Town election is on Tuesday May 10, 2011. The Board voted 5-0 on a motion by Selectwoman Coughlin, second by Selectman Jackson to post the election warrant as presented.

- **Annual and Special Town Meeting Warrant - Review**

The Board reviewed the warrant articles for the annual town meeting. The Board requests that the departments who have placed articles on the warrant be asked to meet with the Board to review the articles and if there are any questions they will be able to clarify. Articles 20 to fund wireless technology, 21 to replace bleachers and 22 to reduce user fees are in draft format will provide further discussions. The articles total \$400,000 and will be taken out of the general fund not the capital, the Board asks the School Committee to remove them from the warrant and place them in the capital. Articles 23 and 24 maybe removed. The Board voted 5-0 on a motion by Selectman Lemoine, second by Selectman Jackson to recommend articles 2 accept town report and 3 choose officers not named in article 1, and 5 operating budget, article sets elected officials' compensation and 6 through 9 are a place holder for union ratification. CPC member Linda Geyer presented the articles 13 to 19 submitted by the CPC. CPC article 13 is the standard appropriation; article 14 is to borrow 2.5 million dollars for the old town hall renovation proposed by the Historic Commission. The Board discussed changing the entities to supervise the restoration from the Board of Selectmen to the Historical Commission. The Board supports the change and has asked the Town Administrator to contact Town Counsel for clarification if the change is appropriate. Article 15 changes a pass town meeting vote for renovation in the Sherburne House, will be reviewed further for a change in the wording to show the change to allow the funds to be used for a board walk on the property. Article 16 asks for additional funds to install a board walk. Article 17 is for review and scanning service for the Historical Commission's files. And Article 18 is for blue bird boxes to be placed on the Greene property, Article 19 is for additional funds to complete and for river bank stabilization at the Frost Road Park.

4. Old Business

- **Budget Update**
- **Sherburne Avenue Property – MGL Chapter 61 Right of First Refusal**

The Board has reviewed the request and had opened the opportunity for public comment for the 30 days, the 30 day public comment period has ended and the Board will not exercise their option of right of first refusal. Town Counsel will prepare the necessary documents for the Board's signatures.

- **Frost Road Park Regulations**
- **Building Usage Regulations**

The Frost Road Park and the Building Usage Regulations are not ready for acceptance at this time. Town Counsel is still reviewing them.

5. Citizen/Business Time – No one came forward this evening.

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

6. Pending Meeting Minutes

- **Regular Session**
 - **February 28, 2011 (to be approved)**

There is still some review to be completed. Will amend and bring back at the next meeting.

- **April 20, 2011(completed for review)**

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectwoman Coughlin to approve the minutes of Monday April 20, 2011.

- **April 25, 2011(not completed)**

- **Executive Session**

- **April 20, 2011(completed for review)**

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectwoman Coughlin to approve and release the executive session minutes of Monday April 20, 2011.

- **April 25, 2011(completed for review)**

The Board voted 5-0 on a motion by Selectman Jackson, second by Selectwoman Coughlin to approve but not release the executive session minutes of Monday April 25, 2011.

7. Correspondence

Correspondence is posted at www.tyngsboroughma.gov with approved meeting minutes, per the requirements of the Massachusetts Open Meeting Law.

The Board voted 5-0 on a motion by Selectman Reault, second by Selectman Lemoine to accept the correspondence as presented. The Selectman announced the candidate's night and the fundraiser for Mr. Joseph Middlemiss.

The Board voted 5-0 on a motion by Selectman Reault, second by Selectman Jackson to recess for 5 minutes. The Board recessed at 8:50 P.M. and returned to open session at 9:07 PM.

8. Selectmen's Reports –

There were no Selectmen's notes this evening. Selectwoman Coughlin presented the two outgoing Selectmen Selectman Lemoine and Selectwoman O'Neill with a plaque for their tireless efforts in serving the Town through committees and boards. Selectman Lemoine wants to thank the Board for the recognition; it has been an honor and a privilege to serve the community and thank you to my family for their support for the past 19 years with 9 years as Selectman thank you all. Selectwoman O'Neill thanks the Board and the residents for their support of the three years that she has been a Selectman. Selectwoman O'Neill remembers when she first took office and prepared

her White Paper and presented it to the Board, so much has been accomplish since that time. Thank you all for your support.

9. Town Administrator's Reports

Report is available online at www.tyngsboroughma.gov

- Budget –

The Finance Committee has finalized the budget and discussions will take place at a work session on Monday May 9, 2011.

- Departmental Information

The Administrator has received a letter from the Highway Superintendent for the paving of 5 roads this spring using Chapter 90 money. The Board voted 5-0 on a motion by Selectman Lemoine, second by Selectman Jackson to have the Highway Dept. pave the 5 roads: Willowdale Avenue, Land Ends Road, Indian Road, Scribner Road, and Willowdale Road.

- Other

Mr. Joseph Jacoppi a member of the Rotary Club has asked if the Board would allow the Rotary to spruce up the area at the Veterans Memorial with mulch and flowers. The Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Reault to accept the donation.

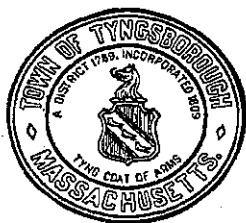
10. Adjournment

The Board voted unanimously on a motion by Selectman Jackson, second by Selectman Reault to adjourn the meeting. The meeting adjourned at 9:15 P.M.

Respectfully Submitted

Therese Gay

Approved on: Monday June 13, 2011



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- 7:30 PM Police Lieutenant Promotions
- Town Election Warrant - Sign
- Annual and Special Town Meeting Warrant - Review

4. Old Business

- Budget Update
- Sherburne Avenue Property – MGL Chapter 61 Right of First Refusal
- Frost Road Park Regulations
- Building Usage Regulations

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8. Selectmen's Reports

- Selectman O'Neill
- Selectman Coughlin – Energy and Environmental Affairs/Licenses/Insp/Utilities
- Selectman Reault – Northern Middlesex Council Of Government
- Selectman Lemoine – Economic Development
- Selectman Jackson – Insurance Committee/Meeting Minute Status

9. Town Administrator's Reports

Report is available online at www.tyngsboroughma.gov

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

10. Adjournment

Future Meetings

Tuesday, May 10, 2011 – Town Elections Polls Open at 7AM and closed at 8PM

PRECINCT 1. EARLY CHILDHOOD CENTER, 135 COBURN ROAD

PRECINCT 2. MULTI SERVICE CENTER, 180 LAKEVIEW AVENUE

PRECINCT 3. TOWN OFFICES/LIBRARY, 25 BRYANTS LANE

PRECINCT 4. TYNGSBOROUGH ELEMENTARY SCHOOL, 205 WESTFORD ROAD

Board of Selectmen Correspondence - Week of 04/29, 2011

[illegible]